



Order Filed on March 4, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
Denise Carlon, Esquire  
KML Law Group, P.C.  
216 Haddon Avenue  
Suite 406  
Westmont, NJ 08108  
Main Phone: 609-250-0700  
dcarlon@kmlawgroup.com  
Attorneys for Secured Creditor  
The Bank of New York Mellon As Co-Trustee for  
Mortgage Equity Conversion Asset Trust 2010-1

In Re:

Michael Polk

Debtor.

Case No.: 17-27513 ABA

Adv. No.:


Hearing Date: 11/13/18 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: March 4, 2019**

  
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Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtor: Michael Polk

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, The Bank of New York Mellon As Co-Trustee for Mortgage Equity Conversion Asset Trust 2010-1, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 809 Walnut Street, Camden, NJ 08103, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Landlord and Eric Clayman, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 20, 2019, Debtor is in arrears outside of the Chapter 13 Plan to Landlord for rental payments due August 2018 through February 2019 for a total post-petition default of \$6,050.00 (7 @ \$975.00, \$775.00 less suspense); and

It is **ORDERED, ADJUDGED and DECREED** that the debtor's attorney is holding \$870.00, which is to be sent to the Landlord immediately; and

It is **ORDERED, ADJUDGED and DECREED** that the debtor is to make the February rental payment of \$975.00 no later than February 28, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$4,205.00 will be paid by Debtor remitting \$700.84 per month in addition to the regular rental installment, which additional payments shall begin on March 1, 2019 and continue for a period of six months until the post-petition arrears are cured; and

It is **ORDERED, ADJUDGED and DECREED** that the Landlord shall file a proof of claim for pre-petition arrears within 30 days of the date of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular payments are to resume March 1, 2019, directly to Landlord (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly payments are not made within thirty (30) days of the date said payment is due, Landlord may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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It is further **ORDERED, ADJUDGED and DECREED** that Landlord's Motion for Relief is hereby resolved.